

Who's Liable When a Child Is Hit by a Car in a Georgia School Zone?

Understanding School Zone Pedestrian Accidents and Legal Accountability

A walk to school should never end in tragedy, but every year across Georgia, school zone accidents leave children seriously injured or killed. These crashes often involve young [pedestrians struck by cars](#) in areas where drivers are expected to slow down, pay attention, and put safety first. But not every driver does.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our Georgia attorneys represent families devastated by school zone pedestrian accidents. These are some of the most heartbreaking cases we handle. The victims are often children who were simply following the rules (walking on a [crosswalk](#), stepping off the bus, or making their way to class) when a careless or reckless driver changed everything in an instant.

When a child is hit by a car in a school zone, parents want answers. Who's liable? What went wrong? And how can they hold the right party accountable? Here's what you need to know.

Georgia School Zones Are Meant to Protect Children, But Crashes Still Happen

Georgia law recognizes the need for extra protection in school zones. That's why state and local governments install speed limit signs, flashing beacons, crossing guards, and high-visibility crosswalks near elementary, middle, and high schools. During drop-off and pickup hours, speed limits drop to as low as 15 mph. Drivers are also prohibited from using handheld cell phones in school zones, under [Georgia's Hands-Free Law](#).

But even with these safeguards, pedestrian accidents continue to happen. School zones remain high-risk areas, especially during early morning and mid-afternoon hours. Younger children are particularly vulnerable because they're smaller, more difficult to see, and less predictable than adult pedestrians.

Common factors in Georgia school zone pedestrian accidents include:

- Speeding in marked school zones
- Distracted driving (texting, talking, adjusting GPS)
- Failing to yield to children in crosswalks
- Passing stopped school buses
- Illegally parked vehicles blocking visibility
- Unsafe drop-off or pickup practices
- Impatient or aggressive driving in congested school areas

One driver's poor decision can turn a school morning into a trip to the emergency room. And in many cases, the crash could have been prevented.

What Makes School Zone Crashes So Dangerous?

School zone accidents involving pedestrians aren't just more likely to cause injuries—they're more likely to cause severe ones. Children lack the physical size and strength to withstand an impact with a moving vehicle, even at lower speeds.

Common injuries include:

- Skull fractures and traumatic brain injuries
- Broken bones and spinal trauma
- Internal bleeding or organ damage
- Lacerations, contusions, and soft tissue injuries
- Permanent disfigurement or disability
- Psychological trauma such as PTSD, anxiety, or depression

In the most tragic cases, children lose their lives in crashes that could have and should have been avoided.

Who's Liable When a Child Is Hit by a Car in a Georgia School Zone?

In most cases, the driver who struck the child is legally responsible. However, liability can sometimes extend to others, depending on the circumstances of the crash.

Let's break down some of the most common liability scenarios:

1. Negligent Driver

The most straightforward case involves a driver who was speeding, distracted, or failed to yield to a child in a crosswalk. Georgia law holds drivers to a higher duty of care in school zones. Violating posted speed limits, ignoring signage, or using a phone while driving in a school zone may be sufficient to establish negligence.

2. Employer Liability (if the driver was on the job)

If the at-fault driver was working at the time, such as a delivery driver, utility worker, or rideshare operator, their employer may also be held liable under the principle of vicarious liability. In some cases, improper hiring or training by the employer could also play a role.

3. Government Entity or School District

In rare situations, the city, county, or school district may share responsibility, especially if the school zone lacked proper signage, crosswalks were poorly maintained, or a crossing guard failed to act appropriately. Claims against government entities in Georgia are

governed by strict notice and timing rules, so it's important to speak with an attorney right away if you suspect municipal negligence.

4. Third-Party Vehicle Owners

If a teenager borrowed a parent's car and caused the crash, the owner of the vehicle may be held liable under [Georgia's negligent entrustment doctrine](#), especially if they knew the driver was unlicensed, inexperienced, or had a history of reckless behavior.

Every case is different. That's why a thorough investigation is critical. At Gary Martin Hays & Associates, our legal team works quickly to gather evidence, secure witness statements, obtain school surveillance footage, and reconstruct the scene using expert analysis.

How Insurance Companies Try to Shift Blame in School Zone Accidents

You might assume that if a child is hit in a marked school zone, the driver's insurance company will pay quickly and fairly. But that's not how it works.

In reality, insurers often try to shift blame or downplay the severity of the injuries. They may claim:

- The child "darted out" into the road
- The driver "couldn't have seen" the child
- The crash happened outside of "active" school zone hours
- The child wasn't using a crosswalk
- The injuries aren't as serious as the family claims

These tactics are designed to reduce liability or pressure the family into accepting a lowball settlement. When injuries are long-term or life-altering, that's simply not acceptable.

At Gary Martin Hays & Associates, we know how to fight back. We gather medical records, expert testimony, and psychological evaluations to prove the full impact of the injury. We make sure insurers don't ignore the emotional toll, educational disruption, and long-term care needs these crashes can create.

Building a Strong Case for a Child Hit in a School Zone

Cases involving children require special care. Georgia law treats minors differently when it comes to legal timelines, settlement approval, and court filings.

Some key legal considerations include:

- **Tolling Of The Statute Of Limitations:** In many cases, the statute of limitations for personal injury is paused until the child turns 18. However, parents still have deadlines for claims related to medical expenses and lost wages.

- **Court Approval Of Settlements:** If a child's injury case settles for more than \$15,000, Georgia law requires court approval to ensure the settlement is in the child's best interest.
- **Structured Settlements Or Trusts:** In cases involving large recoveries, funds may be placed in a structured settlement or trust to manage the child's future financial needs.

Our firm has decades of experience navigating these issues for victims in Georgia. We work closely with families, medical providers, and financial professionals to protect the child's recovery and future well-being.

The Emotional Fallout After a School Zone Crash

For children, being hit by a car can be terrifying. Even if the injuries eventually heal, the emotional scars may linger. Fear of walking to school, nightmares, separation anxiety, and panic attacks are common. Some children need therapy or counseling to recover emotionally. Others may face bullying or self-esteem issues related to visible injuries or disabilities.

Parents carry their own emotional burdens, including guilt, grief, anger, and anxiety about their child's future. They may also face time away from work, medical debt, and a difficult road ahead.

These are not just side effects. They are part of the damage caused by the crash. Our job is to make sure they're not overlooked or undervalued.

A Broader Perspective: Why These Cases Matter for All of Us

School zone crashes aren't just about one child or one driver. They highlight a larger problem: drivers in a rush, distracted behind the wheel, or careless in the very places they should be most cautious. Every school zone crash reminds us of what's at stake when drivers fail to take their responsibilities seriously.

These cases are about safety, accountability, and protecting the most vulnerable members of our community. When we hold negligent drivers (and sometimes municipalities or companies) responsible, we help create safer streets for everyone.

We believe kids deserve to walk to school without fear. And when something goes wrong, they deserve a legal team that will fight to make it right.

If Your Child Was Hit by a Car in a Georgia School Zone, We Can Help

No parent should have to face this kind of situation alone. If your child was injured in a school zone crash, get the guidance and support you need to pursue justice.

At the Law Offices of Gary Martin Hays & Associates, P.C., we're ready to investigate your case, protect your family's rights, and demand full compensation for every aspect of the harm done. [Contact us today](#) for a free consultation. We've recovered **over \$1 billion** for Georgia families and would be honored to talk to you about your potential legal case.